



Order Filed on September 11, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)
MARTONE & UHLMANN,
A PROFESSIONAL CORPORATION
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CLIFTON, NJ 07012
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bky@martonelaw.com
ATTORNEYS FOR SECURED
CREDITOR/SERVICING AGENT,
PNC BANK, NATIONAL ASSOCIATION
36.8586

In re:

RAPHAEL S. GARDEE

Case No. 20-13167

Chapter 7

Judge Kathryn C. Ferguson

**CONSENT ORDER RESOLVING THE MOTION FOR RELIEF WITH REGARD TO THE
PROPERTY LOCATED AT 36 WILFRED AVENUE, TITUSVILLE NJ 08560
(REAL PROPERTY)**

The relief set forth on the following pages numbered two through two is hereby

ORDERED

DATED: September 11, 2020


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

(Page 2)

Debtor: Raphael S. Gardee

Case No.: 20-13167

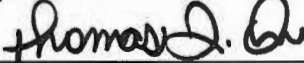
Caption of Order: CONSENT ORDER RESOLVING THE MOTION FOR RELIEF WITH REGARD
TO THE PROPERTY LOCATED AT 36 WILFRED AVENUE, TITUSVILLE NJ
08560

This matter being opened to the Court by Martone and Uhlmann, P.C., attorneys for the Secured Creditor, PNC Bank, National Association, upon the filing of Motion for Relief with regards to the treatment of Secured Creditor's lien secured by the property located at 36 WILFRED AVENUE, TITUSVILLE NJ 08560 in a Chapter 13 case and due notice of said Motion to the Chapter 7 Trustee, the Debtor and the attorney for the Debtor; and no response/objection filed by the Debtor, and for good cause shown, it is

1. ORDERED that the Automatic Stay is lifted in a limited capacity as to Creditor, PNC Bank, National Association, to allow them to proceed with the foreclosure case, docketed as F-018986-19 or further foreclosure case if necessary, up to and including to entry of the Final Judgment;
2. ORDERED that the Chapter 7 Trustee is allowed to continue to market; enter a contract to sell; and file the Necessary Motion to Sell the premises located at 36 Wilfred Avenue, Titusville, New Jersey 08560 for five months from the entry of this order;
3. ORDERED, that the Chapter 7 trustee is allowed to complete the closing on the sale of the premises located at 36 Wilfred Avenue, Titusville, New Jersey 08560 until six months from the entry of this order;
4. ORDERED, that if the Chapter 7 trustee is unable to enter into a contract to sell the premises that completely pays off the lien held by PNC Bank National Association or proceed to sale by the deadlines set in the prior paragraphs, then this Court will enter an Order Terminating the Automatic Stay and allowing the Creditor to proceed with their rights in state court including foreclosure and eviction; and
5. ORDERED that the movant shall serve a filed copy of this Order on the Debtor via regular mail. The Debtor's attorney and Chapter 7 Trustee will be served electronically via the U.S. Bankruptcy Court's CM/ECF system.

*The undersigned hereby consent to the
form and entry of the within Order:*


Law Offices of Thomas J. Orr
Chapter 7 Trustee

By: 

Thomas J. Orr, Esq.

Dated: 9-10-2020

Martone and Uhlmann, P.C.
Attorneys for Secured Creditor

By: 

Christian Del Toro, Esq.

Dated: September 11, 2020

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Raphael S Gardee
DebtorCase No. 20-13167-KCF
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 11, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Sep 13, 2020.

db +Raphael S Gardee, 161 Pleasant Valley Rd, Titusville, NJ 08560-2104

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 13, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILINGThe following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on September 11, 2020 at the address(es) listed below:Amar Anand Agrawal on behalf of Creditor Fulton Bank, NA aagrawal@egalawfirm.com,
ksantiago@egalawfirm.com, jwingfield@egalawfirm.com
Andre L. Kydala on behalf of Debtor Raphael S Gardee kydalalaw@aim.com, kydalalaw@aim.com
Christian Del Toro on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION
cdeltoro@martonelaw.com, bky@martonelaw.com
Denise E. Carlon on behalf of Creditor PNC Mortgage, a Division of PNC Bank, National
Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Frank J Martone on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bky@martonelaw.com
Margaret Mcgee on behalf of U.S. Trustee U.S. Trustee maggie.mcgee@usdoj.gov
Rebecca K. McDowell on behalf of Creditor Eastern Funding LLC rmcowell@slgcollect.com
Thomas Orr tom@torrlaw.com, Torr@ecf.axosfs.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9